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*** Filed ***
11:25 AM, 25 Jun, 2025
U.S.D.C., Eastern District of New York

June 25, 2025

VIA ECF

Honorable James R. Cho
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Charles Saldarriaga v. The City of New York, et al.,
No. 25-CV-1115 (RPK)(JRC)
Letter in Opposition to Defendants' Motion to Compel

Dear Judge Cho,

I respectfully submit this letter in opposition to Defendants' motion to compel execution of a CPL § 160.50 release for my sealed arrest records from March 27, 2024.

As stated in my previously filed Designation of Agent and Letter Motion for Protective Order, I do not oppose producing relevant, non-privileged materials. However, I request that the Court deny Defendants' motion at this time. I have proactively designated myself as agent under CPL § 160.50 and submitted a FOIL request to the District Attorney's Office, which is reviewing the records for redactions. The records are expected to be available for pickup on June 27, 2025. After review, I am prepared to produce relevant documents or, if disputes arise, propose an in-camera review to protect privileged or sensitive information.

Compelling execution of the release now is premature. Defendants have not shown that the records are essential or unavailable through other means, nor have they answered the Complaint. New York courts, as in *Diakel v. City of New York*, No. 18-CV-7300 (ENV)(SJB), and *Hines v. City of New York*, No. 18-CV-4678 (JBW)(VMS), have held that plaintiffs are not required to provide CPL § 160.50 releases before an answer, particularly when requests lack specificity or appear overbroad.

Accordingly, I respectfully request that the Court: (1) deny Defendants' motion to compel; or (2) in the alternative, grant a protective order, as outlined in Exhibit A, allowing me to obtain and review the sealed records before production. I remain committed to cooperative discovery while preserving the privacy protections afforded by CPL § 160.50.

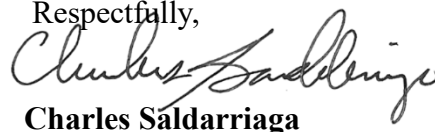
Thank you for your attention and consideration.

Cc: **VIA ECF**

Joseph Zangrilli
Senior Counsel
Special Federal Litigation Division
The City of New York
LAW DEPARTMENT
100 Church Street
New York, NY 10007

Michael Futral
Assistant Corporation Counsel

Respectfully,

A handwritten signature in black ink, appearing to read "Charles Saldarriaga", written in a cursive style.

Charles Saldarriaga
Plaintiff, Pro Se